

1 Wade J. Barrett (Estate)

Case No. 02CEPR00294

Atty LeVan, Nancy J. (for Wayne Barrett – Administrator/Petitioner)

**(1) Amended Report of Administration of Administrator and Petition for Settlement thereof
and (2) Allowance of Statutory Compensation for Administrator and Statutory and
Extraordinary Attorney Fees and (3) for Final Distribution**

DOD: 9-23-01		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Second Amended Petition filed 6-12-14 is set for hearing on 7-24-14.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		W
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		06/10/03
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 6-12-14	
		Updates:	
		Recommendation:	
		File 1 – Barrett	

Age: 63 years	PUBLIC GUARDIAN is conservator.	NEEDS/PROBLEMS/COMMENTS:
	The thirteenth account for the account period ending 2/28/13 was approved on 5/13/13 showing and ending property on hand of \$718,577.80.	OFF CALENDAR. Fourteenth Account filed and set for hearing on 7/3/14.
Cont. from 050914	Minute order dated 5/13/13 set this status hearing for the filing of the fourteenth account.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: KT
Reviewed on: 6/11/14
Updates:
Recommendation:
File 2 - Olguin

Petition for Termination of Further Proceedings and Discharging Personal Representative

DOD: 06/09/99		JUDITH A. WHITE , Executor, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
Cont. from 051214					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters	09/08/04			
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				

<p>Petitioner states:</p> <ol style="list-style-type: none"> In her Petition for Probate filed 06/23/04, Petitioner alleged that the value of the assets of the estate was over \$100,000.00. This allegation was based on the fact that prior to the issuance of letters, petitioner concluded from the best evidence available that decedent died possessed of property consisting of real and personal property, which was separate property of decedent and subject to administration. It appears now that there is no property subject to administration. Investigation after letters were issued revealed that all of decedent's known assets were either transferred, or not subject to the jurisdiction of the probate court. The real property and titled personal property was given to his sister prior to his death. The bank and investment accounts either were given to his sister during decedent's lifetime, or were transferred by reason of named beneficiaries on the originating documentation. On or about 02/01/07, Petitioner filed a motion to compel an accounting by Decedent's attorney in fact. It was learned from through this that all assets subject to probate administration were transferred to decedent's sister. Petitioner has diligently searched for all assets but has failed to discover any property of any kind belonging to the estate that is subject to administration. <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Terminating further proceedings for the administration of the estate; Discharging petitioner as the personal representative of the estate. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Reviewed by: JF</td> </tr> <tr> <td>Reviewed on: 6-12-14 (skc)</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 3 - Kachadoorian</td> </tr> </table>	Reviewed by: JF	Reviewed on: 6-12-14 (skc)	Updates:	Recommendation:	File 3 - Kachadoorian
Reviewed by: JF						
Reviewed on: 6-12-14 (skc)						
Updates:						
Recommendation:						
File 3 - Kachadoorian						

Amended Waiver of Accounting and Petition for Final Distribution and for Allowance of Compensation

DOD: 11-17-07		BRENT WISE, Son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
		JACK WISE, Spouse, was appointed as Administrator with Full IAEA without bond on 3-25-08.	Continued from 2-19-14, 3-27-14, 4-14-14, 5-19-14. As of 6-11-14, nothing further has been filed. The following issues remain:	
Cont. from 021914, 032714, 041414, 051914				
	Aff.Sub.Wit.	Petitioner states the former Administrator died 4-18-13.	<ol style="list-style-type: none"> Petitioner Brent Wise has not been appointed as Successor Administrator and therefore has no standing to bring this petition. Brent Wise will first need to be appointed as Successor Personal Representative. The original petition for probate alleged \$13,033.80 in personal property assets. However, I&A filed 3-14-08 indicated "various household furnishings and personal effects" valued at \$500.00 by the Administrator Jack Wise, rather than by the Probate Referee as required by Probate Code §8900. The Court may require clarification regarding the discrepancy in the amounts, and may require amended appraisal in accordance with applicable law. Petitioner requests distribution to himself as the heir of both this decedent and the former Administrator/spouse of the decedent, who is entitled to a ½ share of this estate. However, Pursuant to Probate Code §11802, distribution to a post-deceased heir must be made to the personal representative of his estate. Court records show that Petitioner was appointed as Executor of his father's estate on 10-2-13 in 13CEPR00643. <u>Therefore, need amended distribution.</u> 	
✓	Verified			
✓	Inventory			X
✓	PTC			
	Not.Cred.	I&A: \$500.00 (See #2) POH: \$500.00 (personal property items)	<ol style="list-style-type: none"> Petitioner requests distribution to himself as the heir of both this decedent and the former Administrator/spouse of the decedent, who is entitled to a ½ share of this estate. However, Pursuant to Probate Code §11802, distribution to a post-deceased heir must be made to the personal representative of his estate. Court records show that Petitioner was appointed as Executor of his father's estate on 10-2-13 in 13CEPR00643. <u>Therefore, need amended distribution.</u> 	
	Notice of Hrg			
	Aff.Mail	Petitioner states he is the son of the decedent and the sole heir of the Wise family upon the death of Administrator Jack Wise, and has waived accounting.	<ol style="list-style-type: none"> Petitioner includes a fee computation of \$20.00 based on the Administrator's value assigned to personal property assets in the I&A. Petitioner does not appear to request payment, but does appear to reduce the proposed distribution by \$20. <u>Need clarification:</u> If the assets on hand consist solely of personal property items rather than cash, as stated, how is the distribution reduced by \$20? Who is \$20 to be paid to? Pursuant to Probate Code §12205, compensation may be reduced due to delay in closing the estate. 	
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen	Petitioner provides a fee computation, but does not appear to request payment of fees.	<ol style="list-style-type: none"> Need order. 	
	Letters			X
	Duties/Supp			
	Objections			
	Video Receipt	Petitioner requests distribution to himself as the sole heir of the Wise family.	<ol style="list-style-type: none"> Need order. 	
	CI Report			
	9202			
	Order			X
	Aff. Posting	Brent Wise: \$480.00 (Personal property items?)	Reviewed by: skc	
	Status Rpt		Reviewed on: 6-11-14	
	UCCJEA		Updates:	
	Citation		Recommendation:	
N/A	FTB Notice		File 4 – Wise	

Amended Waiver of Accounting and Petition for Final Distribution and for Allowance of Compensation

DOD: 04/18/2013		BRENT WISE , executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
		1 & A - \$403,171.55	<p>See related case #4.</p> <p>Note: Petitioner, Brent Wise, filed an Amended Waiver of Accounting and Petition for Final Distribution and for Allowance of Compensation, in case #08CEPR00176, the Estate of Janice Wise, however he has not been appointed as Successor Administrator in that case. The Estate of Jack Wise is not in a position to close until the Estate of Janice Wise has distributed. See related case page #4.</p> <ol style="list-style-type: none"> Prayer of the Petition does not include a request for Attorney's Statutory Fees. Local Rule 7.12.1 states a petition for distribution must list and describe in detail all property to be distributed. The description shall include cash on hand. Promissory notes must be described as secured or unsecured. If secured, the security interest must be described. The legal description and APN of all real property must be included. Description in the petition of any asset by reference to the inventory is not acceptable. Order does not comply with Local Rule 7.6C. Orders settling accounts shall contain a statement as to the balance of the estate on hand, specifically noting the amount of cash in the balance.
		POH - \$403,791.48	
Cont. from 032514, 042914, 051914		Executor – Waives	
<input type="checkbox"/>	Aff.Sub.Wit.	Attorney - \$11,063.43	
<input checked="" type="checkbox"/>	Verified	Petitioner requests:	
<input type="checkbox"/>	Inventory	<ul style="list-style-type: none"> The administration of the estate be closed without an accounting; 	
<input type="checkbox"/>	PTC	<ul style="list-style-type: none"> all the acts and proceeding of Brent Wise as executor be confirmed and approved; 	
<input type="checkbox"/>	Not.Cred.	<ul style="list-style-type: none"> Distribution of the Estate and any other property of the decedent of the estate not now known or discovered be made to Brent Wise. 	
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	10/08/2013	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 06/12/2014
			Updates:
			Recommendation:
			File 5 – Wise

Atty Wall, Jeffrey L (for Former Administrator Kirk Hagopian)

(1) First and Final Account and Report of Administrator and Petition for its Settlement and (2) Approval

DOD: 12/7/11	KIRK HAGOPIAN , former Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Kirk Hagopian resigned as Administrator and Gloria Hagopian was appointed Successor Administrator on 5/27/14.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		1. The beginning property on hand should be the total of all inventory and appraisals filed. Inventory and appraisals filed total \$213,363.08 and not \$191,433.29 as listed for the beginning property on hand. A difference of \$21,929.79.
<input checked="" type="checkbox"/> Inventory	Account period: 8/12/12 – 5/5/14	
<input checked="" type="checkbox"/> PTC	Accounting - \$216,592.73 Beginning POH- \$191,433.29 Ending POH - \$166,207.96	2. Petition does not state the status of the litigation against Gaylene Bolanos and her confederates. \$9,500.00 was paid to attorney Jeff Hammerschmidt as a retainer for his services. Court may require more information as to the litigation and the status of the retainer paid to attorney Hammerschmidt.
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states that certain cash assets at the time of decedent's death were wrongfully taken by Gaylene Bolanos and her confederates. Petitioner is represented by Fresno attorney Leigh Burnside in a pending action against Gaylene Bolanos and others to recover the wrongfully taken property. Inventory and appraisal, partial no. 1 shows a bank account totaling \$10,268.71 at the time of decedent's death. Petitioner believes that Gaylene Bolanos misappropriated all of the money in the account, because the account was empty when Petitioner presented Letters to the bank after the opening of the estate. Petitioner believes there were other accounts taken by Gaylene Bolanos, but Petitioner did not inventory them because he lacks records that would show the balances.	3. Disbursement schedule shows a disbursement of \$10,900 to repay the loan to Rich Curll however the receipt schedule does not show that the \$10,900 was received into the estate. Therefore the accounting does not balance.
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		4. Itemization for costs advanced by Petitioner includes payment of \$18.00 to DMV to file non-operational on vehicle. However, no vehicle was ever inventoried into the estate. Need clarification.
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		5. Order does not comply with Local Rule 7.6.1C.
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: KT
<input type="checkbox"/> Status Rpt		Reviewed on: 6/12/14
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 6 - Smart

Please see additional page

Petitioner states prior to mid-January 2013 the estate had no cash for payment of decedent's funeral expenses, the expenses to maintain decedent's real property prior to sale, and the retainer requested by the attorney Petitioner hired to take action against Gaylene Bolanos and her confederates. Petitioner borrowed \$10,900.00 from a friend named Rich Curll, to pay those expenses (itemization included in the accounting).

Petitioner prays for an Order:

1. The first and final account and report of Petitioner as Administrator be settled, allowed and approved as filed;
2. All acts and proceedings of Petitioner during his tenure as Administrator of the Decedent's estate be confirmed and approved;
3. Such further order as the Court considers proper.

NEEDS/PROBLEMS/COMMENTS (Cont.):

6. Letters issued to Gloria Hagopian without the \$10,000.00 bond being filed. Examiner has stricken the letters. Gloria Hagopian should destroy and not use any letters that may have inadvertently been given to her. When the bond is filed new letters will need to be submitted.

**Amended Waiver of Accounting and Petition for Final Distribution and for (2)
Allowance of Compensation (PC 16100)**

DOD: 3/31/12		GREGORY TAYLOR , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> Amended petition filed and set for hearing on 7/15/14. Petition includes but is not limited to the following deficiencies: 1. Need property tax certificate. 2. Inventory and Appraisal does not indicate whether or not the property is separate, community or quasi-community. Probate Code §8850(c). This is an issue because the will confirms ½ of the community property to the surviving spouse, Joseph Mason. 3. Property on hand schedule includes real property. Proposed distribution distributes only cash. Distribution must include the actual property on hand, which includes the real property. 4. Petition requests distribution of the estate to petitioner, Gregory Taylor, Christopher Taylor, Jeffery Taylor and Nicole Taylor. Will devised the estate to the Mason Family Trust. Proposed distribution request distribution to the Trust with instructions to distribute pursuant to the Will. 5. Proposed order includes instructions on how to distribute the property after it is distributed to the trust. Need new order eliminating said instructions.
		Accounting is waived.	
Cont. from 030314, 041414, 051914		I & A - \$504,522.95 POH - \$504,522.95	
<input type="checkbox"/>	Aff.Sub.Wit.	Executor - waives	
<input checked="" type="checkbox"/>	Verified	Attorney - \$13,090.46	
<input checked="" type="checkbox"/>	Inventory	Proposed distribution is to:	
<input type="checkbox"/>	PTC	Gregory Taylor - \$471,432.49	
<input type="checkbox"/>	Not.Cred.	Christopher Taylor- \$ 10,000.00	
<input checked="" type="checkbox"/>	Notice of Hrg	Jeffrey Taylor - \$ 5,000.00	
<input checked="" type="checkbox"/>	Aff.Mail	Nicole Taylor - \$ 5,000.00	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	119/12	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
Reviewed by: KT Reviewed on: 6/11/14 Updates: Recommendation: File 7 – Mason			

8A **Stephan & Debbra Winter Revocable Trust 2/16/94 Case No. 13CEPR00564**
Atty **Pape, Jeffrey B. (for Dennis Freeman – Successor Trustee under Amendment/Petitioner)**
Atty **Shahbazian, Steven L. (for Christopher Lull – son of Debbra Winter/Respondent-Objector)**
Petition to Determine Title to and Require Transfer of Property to Trust [Prob. C.
850(a)(2)(3), 855, 17200(b)(6)]

Stephan DOD: 08/09/05	DENNIS FREEMAN , successor trustee, is Petitioner. Petitioner states:	NEEDS/PROBLEMS/COMMENTS:
Debbra DOD: 05/13/13	1. Stephan F. Winter and Debbra L. Winter ("Settlers") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlers and initial Trustees. The Trust was amended on 09/14/02.	
	2. Petitioner is the currently acting successor trustee of the Trust.	
	3. This petition concerns the ownership of the original Trust documents which Christopher Lull ("Respondent") or his agents have taken possession of and refused to deliver to the trustee.	
Cont. from 081213, 102113, 112013, 120913, 010614, 012814, 031014, 041514	4. The Settlor's maintained the original trust documents in a binder. Shortly before her death, Debbra delivered the binder to real estate agent Michele Lane in connection with a real estate transaction. The real estate agent had possession of the binder when Debbra died and maintained possession of it, refusing to deliver it to anyone without a court order. Thereafter, Respondent's attorney, Sue Campbell, represented to Michele Lane that the family agreed that it was ok that Ms. Lane release the binder to Respondent in care of attorney Sue Campbell.	
<input type="checkbox"/> Aff.Sub.Wit.	5. This was not acceptable to Petitioner because (1) Petitioner was the trustee and not respondent, and (2) Respondent, Debbra's son, had been intentionally omitted from the Trust due to a long standing estranged relationship.	
<input checked="" type="checkbox"/> Verified	6. Petitioner has demanded the release of the trust binder from Respondent's former attorney, Sue Campbell; however, initially Sue Campbell's assistant professed no knowledge of a binder being picked up by her office and later Sue Campbell professed no knowledge of a binder being picked up from Michele Lane. Petitioner's demands that Respondent deliver the binder to Petitioner's attorney have been ignored.	
<input type="checkbox"/> Inventory	Petitioner prays for an Order:	
<input type="checkbox"/> PTC	1. Declaring that Petitioner is the sole owner of the original trust documents and that Respondent has no interest in the original trust documents.	
<input type="checkbox"/> Not.Cred.	2. Directing Respondent to immediately deliver possession to Petitioner of any and all trust documents including but not limited to the original Trust, original Trust amendment, and the estate planning binder.	
<input checked="" type="checkbox"/> Notice of Hrg	Continued on Page 2	
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

8A Stephan & Debbra Winter Revocable Trust 2/16/94 Case No. 13CEPR00564

Page 2

Objection filed 08/07/13 by Christopher Lull, Respondent, states:

1. Petitioner does not have standing to bring this Petition. Petitioner is not the trustee because the amendment naming him as trustee was revoked. Morgan Quail witnessed the destruction of the amendment (see *Declaration of Morgan Quail*). Without the amendment, Petitioner is not the trustee or a beneficiary of the Trust and has no vested interest in the Trust.
2. Petitioner is not a relative or heir of Debbra L. Winter.
3. Michele Lane, the real estate agent described in the Petition, was in possession of the original estate planning binder at the time of Debbra Winter's death. Ms. Lane turned over the binder to Respondent because she found his name in the estate documents, and could not locate Petitioner's name in the binder. Because Ms. Lane could not find Petitioner's name in the documents and didn't know who he was, she refused to turn the binder over to him. Respondent's attorney has spoken to Ms. Lane and anticipates that she will be a witness in this matter. Ms. Lane stated to Respondent's attorney that Petitioner admitted to her that he never even met Debbra Winter. This information supports the fact that the amendment was destroyed and not in the original estate planning binder.
4. In the absence of the original, there is a legal presumption that the document was revoked. Additionally, pursuant to Probate Code § 6120(b), we have an act of destruction consistent with the intent to revoke. This presumption cannot be overcome based on the Declaration of Morgan Quail and the expected testimony of Michele Lane.
5. Respondent, Christopher Lull, is the successor trustee of the Trust dated 07/16/94 and the primary beneficiary. He had every right to withdraw the money from Bank of America, as Trustee.

Objector prays for an Order:

1. Denying the Petition to Determine Title to and Require Transfer of Property to Trust Regarding Bank Account; and
2. Denying the Petition to Determine Title to and Require Transfer of Property to Trust.

Declaration of Morgan Quail in Support of Objection filed 08/07/13 states:

1. He is Debbra Winter's nephew and probably one of her closest family members. Debbra felt like a bit of an outsider in their family and felt left out. Declarant always tried to include her in his life events and she always seemed grateful to be included.
2. Their family has a lot of drama. Declarant states that he has tried to stay out of it and remain neutral. He believes that this is why Debbra confided in him and spoke to him about things she might not talk about with others.
3. Approximately 2 years ago on Father's Day, Debbra pulled Declarant aside and asked to talk to him. During their conversation, she removed a document titled amendment to trust from her purse and proceeded to tear it up in front of him. She stated that she wanted to keep her money in the family. Declarant also believes she was having conversations with her sister Catherine and father Stanton about this issue as well.
4. At Christmastime later that year, Declarant received a card from Debbra thanking him for the talk on Father's Day.

Joint Status Report filed 12/18/13 provides an outline/summary of the petitions filed in this matter.

First Amended Objection to Petition to Determine Title to and Require Transfer of Property to Trust filed 01/07/14 states:

1. Objector, Christopher Lull, is the son of Debbra L. Winter, deceased, who is the co-settlor and the successor trustee of the STEPHAN F. WINTER and DEBBRA L. WINTER REVOCABLE TRUST (the "Trust") dated 02/16/94.
2. Decedent, Debbra Winter ("Debbra") and her husband Stephan F. Winter ("Stephan") created the Trust dated 02/16/94 in which they were both name as settlors and co-trustees. A purported Amendment to the Trust was executed on 09/14/02.
3. Under the terms of the Amendment, the successor trustee, upon the death of the first of Stephan and Debbra, was named as Dennis Freeman. Further, on the death of the surviving spouse/settlor, the estate was to be distributed to Dennis Freeman, if living, and if not, to Morgan Quail.

Continued on Page 3

Dept. 303, 9:00 a.m. Monday, June 16, 2014

4. The purported Amendment to the Trust was not a true and voluntary expression of testamentary intent of the co-settlor and co-trustee, Debbra Winter, but was a result of the control, demands, and undue influence of Stephan F. Winter, Debbra's spouse.
5. Stephan, taking advantage of the confidential and fiduciary relationship between him and his spouse, Debbra, and by reason of the trust and confidence so reposed in Stephan by Debbra, was able to and did influence and control the mind and actions of Debbra and induce her to sign the purported Amendment to the trust which provided, among other things, that all of the assets of the Trust be distributed upon the death of the surviving spouse to Dennis Freeman, who is unrelated to Debbra, and is a cousin of Stephan.
6. Prior to signing the Amendment, Stephan exhibited animosity and opposition to Objector, who is the only child and natural heir of Debbra, and attempted to, and did, alienate Debbra from Objector and induced her to sign the purported Amendment to the Trust excluding Objector as a beneficiary of the Trust, contrary to the terms of the initial Trust dated 02/16/94. As a result of the undue influence, pressure, and control by Stephan, and the alienation that he induced between Debbra and Objector, the Amendment dated 09/14/02, was not the true intent and testamentary wish of Debbra, but was that of her husband, Stephan.
7. After Stephan's death in 2005, Debbra stated her wish, and as so expressed to her family members, including her nephew, Morgan Quail, and her sister, Catherine Quail, that she did not intend to leave her estate, or any part of it, to Dennis Freeman; however, she was unaware of how and what manner to change the disposition and the purported Amendment to the Trust. Debbra was under the mistaken belief that the mere destruction of the Amendment, by tearing it up, resulted in the revocation of the Amendment and would therefore result in the original Trust agreement expressing her true intentions, which included her plan to bequeath and devise all of her trust assets to her direct heirs, including her son, Objector, Christopher Lull. Debbra was unable to do so at the time she signed the Amendment because she was wholly under the influence of Stephan, who proposed and dictated to Debbra the purported Amendment to the Trust. As a result, the Amendment was not the true and voluntary act of Debbra, but was procured as the result of the undue and unreasonable influence and control of Stephan and the mistaken belief thereafter of Debbra that she had taken appropriate actions to restore her true testamentary intent, as expressed in the initial Trust Agreement dated 02/16/94.

Objector, Christopher Lull prays for an Order:

1. Denying the Petition; determining that the purported Amendment to the Trust dated 09/14/02 is not the true testamentary intent of Debbra Winter; and that the terms and conditions of the trust are those set forth in the original testamentary instrument designated the "Trust Agreement" signed 02/16/94.

**Petition to Determine Title to and Require Transfer of Property to Trust Regarding
Bank Account [Prob. C. 850(a)(2)(3), 855, 17200(b)(6)]**

Stephan DOD: 08/09/05	DENNIS FREEMAN , successor trustee, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:																																																																				
Debbra DOD: 05/13/13	Petitioner states: 7. Stephan F. Winter and Debbra L. Winter ("Settlers") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlers and initial Trustees. The Trust was amended on 09/14/02. 8. Petitioner is the currently acting successor trustee of the Trust. 9. This petition concerns the ownership of Bank of America account no. xxxx xxxx 3919 with a balance of over \$565,000 which was an asset of the Trust. 10. Petitioner is informed and believes that Respondent, Christopher Lull, presented Bank of America on or about June 26, 2013 the original 02/16/94 Trust without including the 09/14/02 amendment and wrongfully obtained the balance of the Bank of America Account.																																																																					
Cont. from 081213, 102113, 112013, 120913, 010614, 012814, 031014, 041514	Petitioner prays for an Order: 1. Declaring that Petitioner is the sole owner of the funds in Bank of America account no. xxxx xxxx 3919 and the sums wrongfully removed from said account and that Respondent has no interest in the account or the balance of the account; 2. Directing Respondent to immediately deliver the amounts removed from the account to Petitioner; 3. Directing Respondent to pay Petitioner's attorney's fees and costs; and 4. Awarding Petitioner with exemplary damages against Respondent according to proof.																																																																					
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Objection filed 08/07/13 by Christopher Lull, Respondent, states:

6. Petitioner does not have standing to bring this Petition. Petitioner is not the trustee because the amendment naming him as trustee was revoked. Morgan Quail witnessed the destruction of the amendment (see *Declaration of Morgan Quail*). Without the amendment, Petitioner is not the trustee or a beneficiary of the Trust and has no vested interest in the Trust.
7. Petitioner is not a relative or heir of Debbra L. Winter.
8. Michele Lane, the real estate agent described in the Petition, was in possession of the original estate planning binder at the time of Debbra Winter's death. Ms. Lane turned over the binder to Respondent because she found his name in the estate documents, and could not locate Petitioner's name in the binder. Because Ms. Lane could not find Petitioner's name in the documents and didn't know who he was, she refused to turn the binder over to him. Respondent's attorney has spoken to Ms. Lane and anticipates that she will be a witness in this matter. Ms. Lane stated to Respondent's attorney that Petitioner admitted to her that he never even met Debbra Winter. This information supports the fact that the amendment was destroyed and not in the original estate planning binder.
9. In the absence of the original, there is a legal presumption that the document was revoked. Additionally, pursuant to Probate Code § 6120(b), we have an act of destruction consistent with the intent to revoke. This presumption cannot be overcome based on the Declaration of Morgan Quail and the expected testimony of Michele Lane.
10. Respondent, Christopher Lull, is the successor trustee of the Trust dated 07/16/94 and the primary beneficiary. He had every right to withdraw the money from Bank of America, as Trustee.

Objector prays for an Order:

3. Denying the Petition to Determine Title to and Require Transfer of Property to Trust Regarding Bank Account; and
4. Denying the Petition to Determine Title to and Require Transfer of Property to Trust.

Declaration of Morgan Quail in Support of Objection filed 08/07/13 states:

5. He is Debbra Winter's nephew and probably one of her closest family members. Debbra felt like a bit of an outsider in their family and felt left out. Declarant always tried to include her in his life events and she always seemed grateful to be included.
6. Their family has a lot of drama. Declarant states that he has tried to stay out of it and remain neutral. He believes that this is why Debbra confided in him and spoke to him about things she might not talk about with others.
7. Approximately 2 years ago on Father's Day, Debbra pulled Declarant aside and asked to talk to him. During their conversation, she removed a document titled amendment to trust from her purse and proceeded to tear it up in front of him. She stated that she wanted to keep her money in the family. Declarant also believes she was having conversations with her sister Catherine and father Stanton about this issue as well.
8. At Christmastime later that year, Declarant received a card from Debbra thanking him for the talk on Father's Day.

Stephan DOD: 08/09/05	DENNIS FREEMAN , successor Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Debbra DOD: 05/13/13	Petitioner states:	
	1. Stephan F. Winter and Debbra L. Winter ("Settlers") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlers and initial Trustees. The Trust was amended on 09/14/02.	
	2. Stephan Winter died 08/09/05 and Debbra Winter died 05/13/13. Petitioner is the named successor trustee of the Trust. On 08/30/13, the Court appointed Bruce Bickel as temporary trustee of the Trust.	
Cont. from 120913, 010614, 012814, 031014, 041514	3. This Petition concerns the conversion of Bank of America account ending in 3919 with a balance of over \$565,000.00 which was an asset of the Trust. Petitioner alleges that Respondent, Christopher Lull, removed the entire balance of the Bank of America account on or about 06/26/13 and transferred it to his personal account. Petitioner alleges that, among other things, Christopher Lull used \$125,000.00 of the wrongfully obtained funds to pay down a promissory note and deed of trust on his personal residence. These funds were paid to First Northern Bank of Dixon, California on or about 01/27/13.	
<input type="checkbox"/> Aff.Sub.Wit.	4. <u>Constructive Trust</u> . The real property which was subject to the promissory note and deed of trust that Christopher Lull applied \$125,000.00 in payment is located on Ophir Road in Auburn, CA (legal description provided).	
<input checked="" type="checkbox"/> Verified	Petitioner prays for an Order:	
<input type="checkbox"/> Inventory	1. Declaring that Respondent Christopher Lull holds in constructive trust the real property on Ophir Road in Auburn, CA, described in the Petition;	
<input type="checkbox"/> PTC	2. Authorizing the temporary trustee to take possession of and sell the real property described above to recover the \$125,000.00 plus attorneys' fees and costs in so doing;	
<input type="checkbox"/> Not.Cred.	3. Directing Respondent to pay Petitioner his attorneys' fees and costs; and	
<input checked="" type="checkbox"/> Notice of Hrg	4. Awarding Petitioner with exemplary damages against Respondent according to proof.	
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Continued on Page 2

Response to Petition to Determine Title To, Require Transfer to and Impose Constructive Trust Over Property filed 12/06/13 by Respondent, Christopher Lull, states:

1. Respondent admits that the STEPHAN F. WINTER AND DEBBRA L. WINTER REVOCABLE TRUST was created on 02/16/94 by Stephan and Debbra Winter.
2. Respondent denies that the Amendment dated 09/14/02 is a valid and effective trust document, or "Amendment" and that said Amendment does not reflect the true intent of the co-settlor and trustee, Debbra Winter.
3. Respondent denies the validity of the purported "Amendment" and, therefore, denies that Dennis Freeman is a successor trustee of the Trust.
4. Respondent denies that Fresno County is the proper venue for this action. And states that as successor trustee of the Trust the appropriate venue for this action should be in Sacramento County pursuant to Probate Code § 17002(b)(1).
5. Respondent admits that the Bank of America account described in the Petition was an asset of the Trust. Respondent denies that he has "wrongfully" taken or converted any sums from said account, or any other asset of the alleged trust, as said Amendment to the Trust is invalid and ineffective, and that the Trust, therefore, provides that Respondent is the sole successor trustee and beneficiary of the Trust.
6. Respondent admits that he has an interest in real property in Auburn, CA described in the Petition, but denies that there is any wrongful application of funds for any payment on that real property.

Affirmative Defenses:

1. The Petition fails to state facts sufficient to constitute a valid cause or causes of action against Respondent.
2. There is no basis for a "constructive trust" over the real property described in the Petition in that said real property is not, and was not, an asset of the Trust and thereby the remedy of "constructive trust" is not available under Civil Code §§ 2223 and 2224 as the Trust has not right, title, claim, or interest in the real property. (Citation provided)
3. The Petition has no ground to assert, nor is it alleged, that there is any basis for a claim of "exemplary damages".
4. The Petitioner fails to allege any statutory grounds, or any other legal right, for attorney's fees in the filing of this Petition and that attorney's fees are not recoverable to the Petitioner pursuant to Civil Code § 1021 and 1026.

Respondent prays for an Order:

1. That the Petition and each claim therein be dismissed against Respondent and that Petitioner take nothing by reason of his complaint; and
2. For costs incurred herein.

Stephan DOD: 08/09/05		Dennis Freeman filed his original Petition to Determine Title To and Require Transfer of Property to Trust on 6-25-13 (Page A). At the hearing on that petition on 12-9-13, the Court continued the matter and also set this Status Hearing. Since the filing of Mr. Freeman's original petition, numerous additional petitions have come before the Court. At this time, the following matters are pending on this calendar: A. Dennis Freeman's Petition to Determine Title To and Require Transfer of Property to Trust (filed 6-25-13) B. Dennis Freeman's Petition to Determine Title To and Require Transfer of Property to Trust re Bank Account (filed 7-2-13) C. Dennis Freeman's Petition to Determine Title To; Require Transfer To and Impose Constructive Trust Over Property (filed 10-21-13) D. This Status Hearing set by the Court per Minute Order 12-9-13 at the hearing on Dennis Freeman's Petition to Determine Title to and Require Transfer of Property to Trust (Page A). E. Dennis Freeman's Petition to Compel Christopher Lull to Redress Breach of Trust by Payment of Money or Otherwise and for Double Damages (filed 11-26-13) F. Dennis Freeman's Petition for Order Confirming Trust Assets (filed 5-1-14) G. Dennis Freeman's Notice of Motion for an Order Compelling Responses to Form Interrogatories (filed 2-26-14) H. Christopher Lull's First Amended Petition to Determine Validity of Purported Trust, for Order Determining Interest in Trust Property and for Revocation of Trust Amendment (filed 4-3-14) I. Dennis Freeman's Notice of Motion and Motion for Monetary and Terminating Sanctions and Attorneys' Fees for Misuse of the Discovery Process, Memorandum of Points and Authorities, Declaration of Jeffrey B. Pape and Order (filed 5-20-14) The following additional matter also remains pending: • Dennis Freeman's Order to Show Cause Re Contempt (filed 2-4-14)	NEEDS/PROBLEMS/COMMENTS:
Debbra DOD: 05/13/13			
Cont. from 010614, 012814, 031014, 041514			
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<input type="checkbox"/>	FTB Notice		

Atty Shahbazian, Steven L. (for Christopher Lull – Respondent and Objector)

Petition to Compel Christopher Lull to Redress Breach of Trust by Payment of Money or Otherwise and for Double Damages

Stephan Winter DOD: 8-9-05	DENNIS FREEMAN , Successor Trustee, is Petitioner. Petitioner states: Petitioner Dennis Freeman is the sole beneficiary and named successor trustee of the trust pursuant to the 9-14-02 amendment. However, Respondent CHRISTOPHER LULL , with full knowledge of said trust amendment, wrongfully exercised powers under the trust instrument as the purported trustee as described below. On 8-30-13, the Court appointed BRUCE BICKEL as temporary trustee pending resolution of these matters. Petitioner states Respondent wrongfully procured Bank of America account xx3919 with a balance of over \$565,000, which was an asset of the trust, removed the entire balance on or about 6-26-13, and transferred it to a new trust account at Bank of America naming himself as trustee, without including the 9-14-02 amendment for the bank, in furtherance of his scheme. Petitioner states Respondent then transferred the money belonging to the trust to a personal bank accounts at Bank of America, Chase Bank, and/or business accounts at First Northern Bank of Dixon, California and paid a number of personal debts and/or non-trust related expenditures all to benefit himself. See list provided in petition. Petitioner states on or about 8-8-13, this Court ordered Respondent to preserve the assets of the trust. On 10-15-13, Respondent testified that all of the trust assets have been spent, based on his name is the only one in the trust. Petitioner states that as of 8-8-13, Respondent still had at least \$377,500 of trust funds on deposit in his personal and business accounts. These sums were still trust assets despite his efforts to conceal these monies. This was an egregious and intentional violation of the Court's order and was done for the sole purpose of defeating the recovery of the trust assets from him.	NEEDS/PROBLEMS/COMMENTS:
Debbra Winter DOD: 5-13-13		
Cont. from 012814, 031014, 041514		
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SEE ADDITIONAL PAGES		

Page 2

Petitioner states Respondent was ordered on 8-30-13 to provide an accounting of the expenditure of the trust funds by him. He has refused and continues to refuse to do so consistent with his efforts to abscond with the trust funds.

Petitioner prays for an order as follows:

- 1. Ordering Christopher Lull to redress the breaches of trust described above by payment of all sums wrongfully misappropriated from the trust and reimbursing the trust for all losses occasioned by his wrongful actions;**
 - 2. Surcharging Christopher Lull twice the value of the property wrongfully misappropriated from the trust according to proof pursuant to Probate Code §859;**
 - 3. For attorneys' fees;**
 - 4. For costs herein;**
 - 5. For such orders as the Court deems necessary and proper.**
-

Response and Objection filed 1-17-14 by Christopher Lull states:

Respondent denies that Petitioner is the successor trustee of the trust and denies that he "wrongfully exercised" the powers under the trust instrument identified as the "Winter Trust dated February 16, 1994." Respondent is the rightful successor trustee of said trust.

Respondent further denies that Fresno County is the appropriate venue for this proceeding and that the appropriate venue is the County of Placer.

Respondent denies that he has wrongfully procured any funds from the trust and that under the terms of the trust he is the rightful successor trustee and beneficiary. Further the allegations in Paragraph 6 are defective and should be stricken as material matters alleged on hearsay information not within Petitioner's personal knowledge. Authority provided.

Respondent denies he has "wrongfully" taken or "absconded" with assets of the trust and alleges that he is the successor trustee and beneficiary. Further, any said claims of violation of the trust, or wrongful misappropriation of trust funds pursuant to §850(a)(3) are insufficient and premature. Objection and a request to strike is hereby made to the recitation of testimony at a prior hearing by the respondent as the Court has made no final judgment or order in these matters; therefore, such testimony should not be considered by the Court, or receive judicial notice under Evidence Code §452, as such testimony is not an order, finding of fact or judgment of the court. Authority provided.

Respondent alleges there are not sufficient grounds for "surcharging" the responding party herein for "double damages" as there has not been any "bad faith" wrongful taking by this responding party.

Respondent further objects to any claim for "attorney's fees." There are no grounds alleged to claim same and this action is subject to the provisions of Civil Code §1021.

Respondent prays that the petition to "redress breach of trust" be dismissed; that none of the relief as requested therein be granted; for costs of suit incurred.

Stephan DOD: 08/09/05		DENNIS FREEMAN , is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
Debbra DOD: 05/13/13				
Cont. from 050614, 052014		Petitioner states: 1. Stephan F. Winter and Debbra L. Winter ("Settlors") executed the Stephan F. Winter and Debbra L. Winter Revocable Trust (the "Trust") on 02/16/94 in their capacity as Settlers and initial Trustees. The Trust was amended on 09/14/02. 2. Bruce Bickel is the temporary trustee of the Trust pursuant to the order of this Court dated 08/30/13. 3. At the time the Trust was established, it was the intent of the Settlers that their assets be transferred to the Trust as evidenced by section 2.1 of the Trust. 4. Concurrently with the execution of the Trust, the Settlers executed "pour-over" wills on 02/16/94 that designated that the residue of each of their estates be given to the Trustee of the Trust. 5. On or about 02/16/94, Settlers transferred all of their personal property currently owned or acquired in the future to the Trust. Much of this property is located in decedent Debbra L. Winter's home and Petitioner alleges that several items of personal property were removed by Respondent, Christopher Lull. [List of items attached to Petition]. Petitioner request the Court to confirm that the personal property of Debbra Winter are assets of the Trust and subject to the management and control of Bruce Bickel, temporary trustee. 6. On or about 02/16/94, Settlor Stephan F. Winter conveyed his residence located at 5881 Ettersburg Drive in San Jose to the Trust as his separate property. Thereafter on 09/14/02 at the time the Settlers amended the Trust, the Settlers recorded a transmutation of Separate Property to Community Property acknowledging the real property was an asset of the Trust.		
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Continued on Page 2			Reviewed by: JF Reviewed on: 05/14/14 Updates: 05/19/14, 6-12-14 skc Recommendation: File 8G - Winter	

7. On or about 04/18/13, Settlor Debra L. Winter sold San Jose residence and purchased another residence located at 26321 Golf Links Drive, Pioneer, CA. Petitioner alleges that a portion of the Trust's cash proceeds from the sale was used in the down payment for the new residence and within 30 days of acquiring the residence, Debra Winter passed away which prevented her from making a formal transfer to the Trust. Given these circumstances, Petitioner requests the Court to confirm that the real property commonly known as 26321 Golf Links Drive, Pioneer, CA is an asset of the Trust and is subject to the management and control of Bruce Bickel as temporary trustee.
8. Pursuant to the terms of the Trust, Debra Winter's Will, and Transmutation of Separate Property to Community Property, Petitioner believes that it was never Debra Winter's intent to defeat the purpose of the Trust by holding the real property in her individual name thus subjecting said assets to the jurisdiction of the Probate Court at her death.

Petitioner prays for an Order as follows:

1. The Stephan F. Winter and Debra L. Winter Revocable Trust is valid;
2. The personal property at 26321 Golf Links Drive, Pioneer, CA are assets of the Stephan F. Winter and Debra L. Winter Revocable Trust;
3. The real property commonly known as 26321 Golf Links Drive, Pioneer, CA is an asset of the Stephan F. Winter and Debra L. Winter Revocable Trust and is subject to the management and control of Bruce Bickel as temporary trustee;
4. For costs herein; and
5. For other such orders as the court deems proper.

Objections filed 6-12-14 by Christopher Lull states the proposed petition to confirm and transfer certain personal and real property to the trust represents an attempt by the petitioner to transfer certain assets, including the decedent's residence in Amador County, to the trust. Title to said residence is held at the date of Debra Winter's death, in her name individually and not as a trustee of the trust. The application under Heggstad authority is premature in that the purported will that the petitioner is proposing to use as a "pour-over" instrument is only a copy, and the original will has not been produced or proven. There is evidence that the will may have been in Debra Winter's possession at her death, and therefore there is a rebuttable presumption that it was destroyed with intent to revoke. Without a valid and proven will, the presumption arises that the decedent died intestate and therefore under §6400 her "estate" would devolve to intestate heir, Christopher Lull. Petitioner would not qualify under any circumstances as an heir of the decedent, as he was a cousin of the decedent's predeceased spouse.

Objector prays that the petition be denied and that said real and personal properties which are the subject matter of said petition not be transferred to, or identified as an asset of the trust; for costs of suit incurred; and for such other orders as the Court deems just and proper.

Atty **Pape, Jeffrey B. (for Dennis Freeman – Petitioner)**Atty **Shahbazian, Steven L. (for Christopher Lull – Respondent)****Notice of Motion for an Order Compelling Responses to Form Interrogatories**

		DENNIS FREEMAN , Successor Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Notice of Hearing was personally served on the Law Office of Steven Shahbazian. Also need proof of service by mail on the Respondent directly.
Cont. from 040814, 041514		Petitioner states Respondent CHRISTOPHER LULL has failed to file a timely response to Form Interrogatories and no extension of time has been requested or granted.	
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<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

	NEEDS/PROBLEMS/COMMENTS: <u>Notes not prepared for this matter</u>
	Reviewed by: JF Reviewed on: 05/12/14 Updates: Recommendation: File 8I - Winter

8H

			DENNIS FREEMAN , Successor Trustee, is Petitioner. Petitioner moves the Court for an order imposing sanctions in the form of monetary and terminating sanctions against CHRISTOPHER LULL for misuse of the discovery process during this litigation and for violating Court order regarding discovery. See Memorandum of Points and Authorities and Declaration of Jeffrey B. Pape in support of Motion. On 6-11-14, Attorney Shahbazian filed "Respondent Christopher Lull's Memorandum of Points and Authorities in Opposition to Notice of Motion and Motion for Monetary and Terminating Sanctions and Attorney's Fees for Misuse of the Discovery Process."	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
✓	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc				
Reviewed on: 6-12-14				
Updates:				
Recommendation:				
File 8J - Winter				

(1) Waiver of Accounting and (2) Petition for Final Distribution and for (3)
Allowance of Statutory Fees and Commissions

DOD: 9/21/13		MARK VERNAVA , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from		I & A - \$303,913.00	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$299,887.62	
<input checked="" type="checkbox"/>	Verified	Administrator (statutory) - \$9,078.26	
<input checked="" type="checkbox"/>	Inventory	Attorney (statutory) - \$9,078.26	
<input checked="" type="checkbox"/>	PTC	Closing - \$2,500.00	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Distribution, pursuant to intestate succession and assignments of interest, is to:	
	Aff.Pub.	Steven Vernava – 1000 shares of ABM Industries Inc.	
	Sp.Ntc.	Grace Robinson - 1000 shares of ABM Industries Inc.	
	Pers.Serv.	Andrew Vernava - 1000 shares of ABM Industries Inc.	
	Conf. Screen	Mark Vernava – 1700 shares of ABM Industries Inc. and \$55,431.55	
<input checked="" type="checkbox"/>	Letters 12/17/13	Michael Vernava - 1700 shares of ABM Industries Inc. and \$55,431.55	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: KT
Reviewed on: 6/12/14
Updates:
Recommendation: SUBMITTED
File 9 - Vernava

DOD: 06/17/2013		<p>HOWARD YOUNG, brother is petitioner requests appointment as Administrator with bond set at \$205,000.00.</p> <p>Full IAEA - ?</p> <p>Residence: Fresno Publication: Need</p> <p>Estimated value of the Estate: Real property - \$200,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D. 2. Need Affidavit of Publication. 3. Need Confidential Supplement to Duties & Liabilities of Personal Representative. 4. #3d or #3e was not answered regarding a will or if decedent died intestate. 5. Need Order. 6. Need Letters. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 11/17/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Monday, 08/17/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/o
<input type="checkbox"/>	Aff.Pub.			x
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			x
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			x
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				<p>Reviewed by: LV</p> <p>Reviewed on: 06/12/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Young</p>

Sebastian Christopher Mobley (GUARD/P)**Case No. 13CEPR00652**

Atty Childs, Erin M., of Childs Law Office (for Petitioners James Mobley and Laurel Mobley)
Atty Hicks, Julie, sole practitioner (for Objectors Daniel Mobley and Melanie Miller, parents)

Review Hearing

Age: 6 years	JAMES MOBLEY and LAUREL MOBLEY , paternal grandparents, were appointed Co-Guardians of the Person on 9/30/2013. <i>Letters of Guardianship</i> issued on 10/9/2013.		NEEDS/PROBLEMS/COMMENTS:
Cont. from	Father: DANIEL MOBLEY ; sent notice by mail C/O Attorney Julie A. Hicks on 10/10/2013 and 6/6/2014.		<p>This matter will be heard in Department 71 at 8:30 a.m.</p> <p>Note: Proof of Service by Mail filed 10/17/2013 and 6/6/2014 both show that notice was mailed to the parents, Daniel Mobley and Melanie Miller, C/O Attorney Julie Hicks. Pursuant to CA Rule of Court 7.51(2), notice mailed to a person in care of another person is insufficient unless the person entitled to notice is an adult and has directed the party giving notice in writing to send the notice in care of the second person. Court may require direct notice of this hearing to be served to Daniel Mobley and Melanie Miller.</p> <p>~Please see additional page~</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 6/13/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File – Mobley</p>
<input type="checkbox"/> Aff.Sub.W.	Mother: MELANIE MILLER ; sent notice by mail C/O Attorney Julie A. Hicks on 10/10/2013 and 6/6/2014.		
<input checked="" type="checkbox"/> Verified	Maternal grandfather: Don Miller		
<input type="checkbox"/> Inventory	Maternal grandmother: Susan Tandy; Deceased.		
<input type="checkbox"/> PTC	Minute Order dated 9/30/2013 [Judge Gary Hoff] set this matter for Review Hearing on 6/16/2014 and states:		
<input type="checkbox"/> Not.Cred.	<ul style="list-style-type: none"> General Guardianship is granted to James and Laurel Mobley. All temporary orders remain as previously ordered [please refer to Order After Hearing filed 9/3/2013, noted below]. Parents agree to participate with doctor appointments. Parents state they will not be moving out of state. The Court accepts the parties' stipulation as fully stated on the record. Based on the stipulation, the Court vacates the contested hearing. 		
<input checked="" type="checkbox"/> Notice of Hrg	Order After [8/12/2013] Hearing filed 9/3/2013 [Judge Edward Sarkisian, Jr.] makes the following findings, in pertinent part:		
<input checked="" type="checkbox"/> Aff.Mail	<ul style="list-style-type: none"> The appointment of temporary guardianship of the person of Sebastian Christopher Mobley to Petitioners shall continue until the hearing date of 9/30/2013, with Letters to expire 9/30/2013; Objectors/Parents, Daniel Mobley and Melanie Miller, shall have supervised visitation with the child at Child Supportive Services located in Clovis; supervised visitation shall occur for a maximum of 3 hours per week at Petitioners' cost; any additional supervised visitation shall be paid by the Objectors/Parents; The Petitioners and each Objector/Parent shall contact Child Supportive Services to register by the end of the business day on 8/13/2013, and shall be responsible for his/her own registration fees and/or orientation costs; the parties shall follow the agency's policies and procedures regarding visitation; if an agreement cannot be reached between the parents regarding times and days for visitation, the supervising agency shall determine the times, days, and conditions for visitation; The Petitioners shall provide the Objectors/Parents with all information regarding the child's school; This matter is set for contested hearing on 9/30/2013 at 8:30 a.m. in Department 71 (which coincides with the hearing date of the Petition for Appointment of General Guardian.) 		
<input type="checkbox"/> Aff.Pub.	~Please see additional page~		
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/S.			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Rcpt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> Clearancs			
<input type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Dept. 303, 9:00 a.m. Monday, June 16, 2014

Supplemental Declaration of James and Laurel Mobley filed by Co-Guardians on 6/6/2014 states:

- They have permanent guardianship of Sebastian due to his parents being unable to provide him his physical, emotional, and basic medical needs;
- Since their last Court appearance on 9/30/2013:
 - **Sebastian is thriving in school; [his current medical status]:** His grades are excellent and his is not experiencing any behavior issues; his problem with encopresis has subsided almost entirely as he has not experienced any accidents at school and this is becoming a very manageable health issue; they are very diligent at administering over-the-counter medications so he does not suffer from encopresis; the neglect of Sebastian's dental health has been corrected by California Kids Pediatric Dentistry including a "full mouth restoration" under sedation at Valley Children's Hospital; they have obtained full health coverage for Sebastian under Kaiser for general well child visits and any other health issues that might arise in the future.
 - **The Objectors/Parents, Daniel Mobley and Melanie Miller, have both been arrested since the last Court appearance and continue to be unable to provide for Sebastian:** Daniel has been arrested 3 times that they know of; he was arrested once for possession of methamphetamine and a second time for possession of drug paraphernalia; Daniel's third arrest was for domestic violence against Melanie, who was arrested along with Daniel for possession of methamphetamine during the first arrest noted above;
 - **Neither parent has pursued rehabilitation:** Co-Guardian James Mobley has taken Daniel personally to Comprehensive Addiction Programs (CAP) one time; they made it to the front door and spoke with the CAP staff members, but Daniel was unable to commit to drug rehabilitation; James Mobley has also paid for him to take a taxi twice and a bus one other time, but Daniel still has never admitted himself to drug rehabilitation; Daniel and Melanie do not have a place appropriate to take care of a child; they were evicted from their apartment after the last hearing and now reside in a tiny apartment that they share with another couple, and it is totally inadequate for a child; Daniel acknowledge to them that he did not believe he and Melanie are presently fit parents.
 - **Neither parent has been very consistent with showing up to the schedule supervised visits:** Often times they will cancel the visit just minutes before we arrive or we have already arrived; the supervising agency notifies us that the parents have canceled and Sebastian begins to cry; it is very painful for Sebastian because he gets his hopes up and then they come crashing down when his parents do not show up; please see the supervisory notes for all visits since August 2013, attached as *Exhibit A*.
 - **They feel that because of the extent of Sebastian's devastation when his parents fail to show for a scheduled meeting, an adjustment should be made in the current order regarding visits:** They wish to have the parents arrive at the supervising agency first and for the supervising agency to then contact them, and because they live less than 3 minutes from the supervising agency, they will have Sebastian over there within 10 minutes of receiving the phone call; the purpose of this is to avoid Sebastian from being disappointed when his parents do not show up to visit; they have been notified by the supervising agency that it will not contact them before they come for a visit unless it is court-ordered.

They respectfully request to remain guardians of Sebastian indefinitely and for this Court to modify the order to state that Sebastian will attend supervised visits once the supervising agency contacts them and ensures them that the parents have indeed arrived; they will commit to having Sebastian at the supervising agency no later than 10 minutes from the time of the phone call.

~Please see additional page~

Dept. 303, 9:00 a.m. Monday, June 16, 2014

Note: *Exhibit A attached to the Supplemental Declaration of James and Laurel Mobley filed by Co-Guardians on 6/6/2014*, consists of a letter from Child Supportive Services, Inc., regarding supervised visitation services, and contains entries from 3/4/2014 through 5/26/2014, summarizing whether visitation services took place as scheduled, were canceled, or did not take place due to either party failing to appear for visitation; the letter shows that visits were canceled on 3/6/2014 due to parents not showing up; on 3/27/2014 due to the father's erratic behavior; on 5/6/2014 due to parents not showing up; and on 5/19/2014 due to the mother calling to cancel, with no reason given.

Note: *Court Investigator Charlotte Bien's Report was filed on 9/24/2013.*

11 Dean H. Bise (Estate)

Case No. 09CEPR00611

Atty Kruthers, Heather H. (for Public Administrator – Petitioner)
 Atty Magness, Marcus/Janisse, Ryan (for Jesus Esther (Sylvia) Bise – Surviving Spouse – Objector)
 Atty Rios, Ruth Bise (Pro Per Beneficiary)
 Atty Bagdasaria, Gary/Casheros, Jerry (for Teresa Stevens – Real Party in Interest)

Status Hearing Re: Settlement Agreement

DOD: 7-23-09	PUBLIC ADMINISTRATOR filed the First and Final Account and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and for Distribution.	NEEDS/PROBLEMS/COMMENTS:
	Objections were filed by Surviving Spouse JESUS ESTHER (SYLVIA) BISE.	Note: According to file documents, CPA Teresa Stevens is represented by attorneys Gary Bagdasarian and Jerry Casheros as a “Real Party in Interest” to this estate and has been a participant in the various settlement conferences. However, Court records indicate that Ms. Stevens has never filed any documents or made any formal appearance in this case. As such, it appears that if Ms. Stevens is party to the settlement agreement, an appearance/filing fee of \$435.00 is due.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	At a continued settlement conference on 5-15-14, a settlement was reached and Mr. Casheros was directed to prepare the settlement agreement for circulation to the parties.	<ol style="list-style-type: none"> 1. Need Settlement Agreement. 2. Need final order settling the account from Public Administrator based on Settlement Agreement.
		Reviewed by: skc
		Reviewed on: 6-12-14
		Updates:
		Recommendation:
		File 11 - Bise

Age: 4	MARIA TERESA OCHOA , mother is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship on: <ul style="list-style-type: none"> • Timoteo Suarez (Father) • Timoteo Suarez Jr. (Paternal Grandfather) • Alice Rubio (Paternal Grandmother)
Cont. from	EDELBERTO OCHOA and MARIA ELENA OCHOA , maternal grandparents were appointed guardian on 11/16/2010. Guardians/maternal grandparents consent and waive notice.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Father: TIMOTEO SUAREZ	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Paternal Grandfather: Timoteo Suarez, Sr.	
<input type="checkbox"/> Notice of Hrg	Paternal Grandmother: Alice Rubio	
<input type="checkbox"/> Aff.Mail	Petitioner states: the child will be starting school this year, and her grandparents will be working full time. It will be her mother who will be involved now.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Court Investigator Dina Calvillo's report filed 06/09/2014.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/13/2014
		Updates:
		Recommendation:
		File 12 - Suarez

Atty Westcott, Marie (pro per Guardian)

Atty Vasquez, Natasha Renee (pro per Petitioner/mother)

Petition for Visitation

Sable age: 12		NATASHA VASQUEZ , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Killian age: 9			
		MARIE WESTCOTT , non-relative, was appointed guardian on 1/11/11.	
Cont. from		Petitioner states she is asking for time with her children using a schedule for 50% of vacation time or 25% of vacation time totaling in a school year. Petitioner states she has tried repeatedly to meet with Mrs. Westcott in hopes of a plan to spend time with her children.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Mrs. Westcott told her in front of the Judge that it would be alright for her to pick up the children's report cards. The middle school told her that she would need something from the Judge to receive the report cards. Both children's schools told her that Mrs. Westcott told them not to give her the information. Mrs. Westcott does not attend the parent teacher conferences. Mom feels that she should be able to attend but the school will not allow it without a court order.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Petitioner states that during mediation it was agreed that mom would have the kids 50% of their spring break. Mrs. Westcott did not keep the agreement.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	It was agreed that mom would receive a call from the therapist's decision whether or not she could be involved in family counseling. This agreement was not followed.	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	Mom states she is missing numerous phone calls from her children during the times allowed for her to speak with them.	
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers. Serv.	During the final mediation, the mediator spoke about bringing the children in to speak on their behalf without fear of punishment. Mrs. Westcott replied, "I do not think so . . . not without fear of punishment."	
<input type="checkbox"/>	W/O		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: KT

Reviewed on: 6/13/14

Updates:

Recommendation:

File 13 – Carter

13 Sable Carter and Killian Layne Carter (GUARD/P) Case No. 10CEPR00932

Attached to the Petition is a copy of the Mediation Agreement from a mediation dated 9/3/13. The agreement was signed by both the mother, Natasha Vasquez, and Guardian, Marie Westcott. The parties agreed to:

- Visitation every 2nd and 3rd weekend starting at 7:00 p.m. till Sunday at 4:00 p.m.
- Phone calls every Tuesday, Wednesday and Thursday evenings at 8:00 p.m. Mom was to speak to Killian from 8:00 p.m. to 8:30 p.m. and to Sable from 8:30 p.m. to 9:00 p.m.
- The children were to spend the first 12 days of winter break with mom and the remaining days of winter break with the guardian.
- The children would spend 50% of spring break with mom and the remainder with the guardian.
- The guardian agreed to provide both therapist with mom's name and phone number for the therapist to discuss with mom the appropriateness or lack of mom to attend a therapy session once a month with each child.
- The guardian would have the children on Thanksgiving Day and mom would have the children from Friday the day after Thanksgiving at 9:00 a.m. to Sunday at 4:00 p.m.

		DENISE CARRASCO , Mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		SANDRA FONSECA , Paternal Grandmother, was appointed guardian of Kaylee on 9-27-12.	Note: This petition pertains to the minor Kaylee only. The petition for guardianship of the minor Jizelle was dismissed per minute order 12-5-12.
Cont. from 102813			
	Aff.Sub.Wit.		<p>Continued from 10-28-13. As of 6-11-14, nothing further has been filed. The following issues remain noted:</p> <p>1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(e) on the guardian and all relatives:</p> <ul style="list-style-type: none"> - James R. Dennington (Father) - James Dennington (Paternal Grandfather) - Mr. Carrasco (Maternal Grandfather) - Maria Garcia (Maternal Grandmother)
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p>Father: JAMES R. DENNINGTON</p> <p>Paternal grandfather: James Dennington</p> <p>Maternal grandfather: Mr. Carrasco</p> <p>Maternal grandmother: Maria Garcia</p> <p>Petitioner states she has a stable job and place to live. She has been picking up Kaylee on the days she has visitation and she feels like her daughter causes too much stress for the guardian, resulting in putting her in the room for hours at a time and throwing her against the wall. Petitioner states she has followed the visitation plan since guardianship was granted, she has a stable job and place to live, and it would be in her daughter's best interest for the guardianship to be terminated. Kaylee recently came to her and said she doesn't want to go to her nana's because they always put her in the room and she cries until she falls asleep. Kaylee told Petitioner that her aunt threw her against the wall for making too much noise when she was trying to sleep when the aunt was babysitting. Petitioner's other daughter Jizelle says she doesn't like going to visit because they are mean to her sister. Petitioner states she has a video of her daughter showing her how she was thrown against the wall.</p> <p>Court Investigator Jo Ann Morris filed a report on 10-18-13.</p>	
			<p>Reviewed by: skc</p> <p>Reviewed on: 6-11-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Denington</p>

Pro Per Cepeda, Sheila Marie Costa (Pro Per Petitioner, Administrator)

(1) Report and Petition for Final Distribution of Estate Without an Account; (2) for Allowance of Statutory Compensation; (3) and for Reimbursement of Costs Advanced

DOD: 7/19/2012		SHEILA MARIE COSTA CEPEDA , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	<p>1. <i>Petition</i> does not include information regarding the sale of assets as required for reports on waiver of account pursuant to CA Rule of Court 7.550(b). The only indication of the sale of the estate real property is that the <i>Final Inventory and Appraisal</i> filed on 8/7/2013 shows the estate consisted of real property valued at \$230,000.00, while Paragraph 15 of the <i>Petition</i> states the property on hand consists of cash in the amount of \$227,726.79. Need declaration containing the information required by CA Rule of Court 7.550(b)(2).</p>
Cont. from		I & A — \$230,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	POH — \$227,726.79 (all cash)	
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory	Administrator — \$5,000.00 (less than statutory)	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution pursuant to Decedent's Will is to:	
<input checked="" type="checkbox"/>	Aff.Mail	DANIEL A. COSTA – \$222,726.79 cash.	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters 061813		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 6/12/14
			Updates:
			Recommendation:
			File 15 - Costa

Status Hearing Re: Filing of the Inventory and Appraisal

Age: 15 years	VIOLETA BACHICHA , mother, was appointed as Guardian of the Estate on 10/17/13.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued on 11/7/13.	Continued from 5/9/14. Minute order states no appearances. The court sets the matter for an Order to Show Cause (see page 16B). The Court orders Violeta Bachicha to be personally present on 6/16/14.
Cont. from 030714, 050914	Inventory and appraisal is now due.	
Aff.Sub.Wit.	Petition for appointment of guardian stated that the father died and left a home in Texas to his minor children. There is no value in the home. The home needs repairs and is in foreclosure. The proposed guardian has found a potential buyer for the home however she needed a guardianship in order to have authority to sell the real property.	1. Need inventory and appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Minute order dated 11/7/13 states the Petitioner was to file a status report as to the status of the real property and receipt for blocked account for proceeds of any sale.	
Letters		
Duties/Supp	Minute order dated 3/7/14 states no appearances. The Court will expect the inventory and appraisal, or a status report to be filed before the next hearing. Failure to file said document(s) will result in the issuance of an order to show cause regarding contempt. Violeta Bachicha is ordered to be personally present on 5/9/14. A copy of the Minute order was mailed to Violeta Bachicha on 3/7/14.	
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 6/12/14
		Updates:
		Recommendation:
		File 16A – Day

Order to Show Cause Re: Contempt; Failure to Appear

Age: 15 years		<p>VIOLETA BACHICHA, mother, was appointed as Guardian of the Estate on 10/17/13.</p> <p>Letters issued on 11/7/13.</p> <p>Minute order dated 5/9/14 set this Order to Show Cause hearing regarding contempt and failure to appear. Violeta Bachicha was ordered to be personally present at the hearing on 6/12/14. – Copy of the Order to Show Cause was mailed to Violeta Bachicha on 5/16/14.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: KT
Reviewed on: 6/12/14
Updates:
Recommendation:
File 16B - Day

Status Hearing Re: Filing of the Inventory and Appraisal

Age: 14 years	VIOLETA BACHICHA , mother, was appointed as Guardian of the Estate on 10/17/13.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued on 11/7/13.	
Cont. from 030714, 050914	Inventory and appraisal is now due.	Continued from 5/9/14. Minute order states no appearances. The court sets the matter for an Order to Show Cause (see page 17B). The Court orders Violeta Bachicha to be personally present on 6/16/14.
Aff.Sub.Wit.	Petition for appointment of guardian stated that the father died and left a home in Texas to his minor children. There is no value in the home. The home needs repairs and is in foreclosure. The proposed guardian has found a potential buyer for the home however she needed a guardianship in order to have authority to sell the real property.	
Verified		2. Need inventory and appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Minute order dated 11/7/13 states the Petitioner was to file a status report as to the status of the real property and receipt for blocked account for proceeds of any sale.	
	Minute order dated 3/7/14 states no appearances. The Court will expect the inventory and appraisal, or a status report to be filed before the next hearing. Failure to file said document(s) will result in the issuance of an order to show cause regarding contempt. Violeta Bachicha is ordered to be personally present on 5/9/14. A copy of the Minute order was mailed to Violeta Bachicha on 3/7/14.	
		Reviewed by: KT
		Reviewed on: 6/12/14
		Updates:
		Recommendation:
		File 17A – Day

Status Hearing Re: Filing of the Inventory and Appraisal

Age: 14 years		<p>VIOLETA BACHICHA, mother, was appointed as Guardian of the Estate on 10/17/13.</p> <p>Letters issued on 11/7/13.</p> <p>Minute order dated 5/9/14 set this Order to Show Cause hearing regarding contempt and failure to appear. Violeta Bachicha was ordered to be personally present at the hearing on 6/12/14. – Copy of the Order to Show Cause was mailed to Violeta Bachicha on 5/16/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 6/12/14
			Updates:
			Recommendation:
			File 17B - Day

17B

DOD: 8-27-13			BRENDA LONG SUTA , Sister and Named Alternate Executor without bond, is Petitioner. Petitioner is a resident of Salt Lake City, UT. Named Executor Patricia Carr declines to act. Limited IAEA – ok Will dated 6-12-05 Residence: Fresno Publication: Fresno Business Journal Estimated value of the estate: Personal property: \$163,000.00 Probate Referee: Steven Diebert <u>Note:</u> If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, October 15, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, July 15, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner is a resident of Salt Lake City, UT. The court may require bond if the proposed personal representative resides outside California or for other good cause, even if the will waives bond, pursuant to California Rules of Court 7.201(b) and Probate Code §8571. <u>Note:</u> Petitioner estimates \$163,000.00 in <u>personal property</u> . Limited authority does not mitigate these circumstances. The Court may require bond of \$163,000.00.
Cont from 051514				
	Aff.Sub.Wit.	S/P		
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/o		
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: skc
Reviewed on: 6-11-14
Updates:
Recommendation:
File 18 - Long

			TEMP EXPIRES 6-16-14	NEEDS/PROBLEMS/COMMENTS:
			NANCY M. CUEVAS , Maternal Aunt, is Petitioner.	Note: Diligence was found and notice to the father was dispensed at the temporary hearing on 4-29-14. If notice to the paternal grandparents is not also dispensed, need notice pursuant to Probate Code §1511.
			Father: KENNETH HENSON - Declaration of Due Diligence filed 4-15-14 - Notice dispensed at hearing on 4-29-14	
	Aff.Sub.Wit.		Mother: MARIA VASQUEZ - Personally served 4-15-14 - Present at hearing on 4-29-14	
✓	Verified			
	Inventory		Paternal Grandparents: Unknown Maternal Grandparents: Deceased	
	PTC			
	Not.Cred.		Siblings: Krystal Robledo, Sylvia Robledo, Maricela Vega, Cynthia Gaona, Anabeth Vasquez, Dominic Vasquez	
✓	Notice of Hrg			
✓	Aff.Mail	W	Petitioner states the mother has given her the minor for six months or longer, they agreed she would be better off with Petitioner and her husband. The minor lived with them for two years, but then the mother got her act together and got the minor back. At this time, the mother is back on drugs, men and women coming and going from the house, the minor would be left alone with her 14-year old sister (who now lives with her father), or found out in the street alone. According to the UCCJEA, the minor has been with Petitioner since February 2014. Court Investigator Dina Calvillo filed a report on 6-9-14.	
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances		Reviewed by: skc Reviewed on: 6-12-14 Updates: Recommendation: File 19 - Henson	
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

Miguel Age: 6		<u>TEMPORARY EXPIRES 06/16/2014</u> <u>GENERAL HEARING 08/07/2014</u> ANDREA CORTES and RICHARD CORTES , aunt and uncle are petitioners. Father: NOT LISTED Mother: MARIA LOPEZ , Declaration of Due Diligence filed 06/02/2014 Paternal Grandparents: Not Listed Maternal Grandfather: Not Listed Maternal Grandmother: Martha Santos Petitioners state: they do not know the father's name. The only knowledge they have is that he was deported and jailed in Mexico. Mother is on the streets and cannot be found. Petitioners state that the temporary guardianship is needed to enroll the children in school before the school year ends.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Father (Not Listed) • Maria Lopez (Mother) Unless the Court dispenses with notice Note: Declaration of Due Diligence filed 06/02/2014 states mother's whereabouts unknown. 2. UCCJEA is incomplete. Need minors' residence information for the past 5 years. 3. Need Duties of Guardian GC-248 signed by each petitioner.
Jessie Age: 5			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	n/a	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	x	
✓	Conf. Screen		
✓	Letters		
	Duties/Supp	x	
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: LV			
Reviewed on: 06/13/2014			
Updates:			
Recommendation:			
File 20 - Lopez			

21 Sulivahn Phommachack, Sariah Plhai & Destiny Panthavongsa and

Samay Panthavongsa Case No. 14CEPR00342

Atty Phommachack, Nou (Pro Per – Petitioner – Maternal Grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510).

Sulivahn Age: 9		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>NOU PHOMMACHACK, maternal grandmother, is petitioner.</p> <p>Father (of Sulivahn): UNKNOWN</p> <p>Father (of Sariah): UNKNOWN</p> <p>Father (of Destiny & Samay): TA PHONTHAVONGSA</p> <p>Mother: PHITSAMAY PHOMMACHACK</p> <p>Paternal Grandparents (of Sulivahn): Unknown</p> <p>Paternal Grandparents (of Sariah): Unknown</p> <p>Paternal Grandparents (of Destiny & Samay): Unknown</p> <p>Maternal Grandfather: Sangvan Phommachack, Deceased</p> <p>Petitioner states: the mother is on drugs and homeless. CPS has told petitioner that she must apply for guardianship or the children will be removed to foster care. The three fathers of the children are not in their lives are also homeless and on drugs.</p> <p>Petitioner requests that notice to the fathers of Sulivahn and Sariah be excused as their identities are unknown. Also, as to their paternal grandparents due to the identity of the fathers being unknown petitioner does not know who the paternal grandparents are. Petitioner is requesting that notice to the mother and the father of Destiny and Samay be excused as they are both homeless transients and petitioner is unaware of where they are residing.</p> <p>Court Investigator Charlotte Bien's report filed 06/02/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need Notice of Hearing. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Father of Sulivahn – (Unknown) Unless the Court dispenses with Notice Father of Sariah (Unknown) – Unless the Court dispenses with Notice Ta Phonthavongsa (Father of Destiny & Samay) – Unless the Court dispenses with Notice Phitsamay Phommachack (Mother) – Unless the Court dispenses with Notice Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Paternal Grandparents of Sulivahn (Unknown) – Unless the Court dispenses with Notice Paternal Grandparents of Sariah (Unknown) – Unless the Court dispenses with Notice Paternal Grandparents of Destiny & Samay (Unknown) – Unless the Court dispenses with Notice 	
Sariah Age: 6				
Destiny Age: 3				
Samay Age: 6 mos				
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		<p>Reviewed by: LV</p> <p>Reviewed on: 06/13/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 – Phommachack</p>		